

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	NO. CR08-5709FDB
)	
Plaintiff,)	
)	MINUTE ORDER GRANTING
vs.)	DEFENSE MOTION TO CONTINUE
)	TRIAL DATE AND PRETRIAL
GALEN J. TRIGG,)	DEADLINES
)	
Defendant.)	
)	

Based on the unopposed defense motion to continue the trial date and pretrial deadlines, and the affidavit of defense counsel in support of the motion, the facts set forth in which are hereby incorporated by reference and adopted as findings of fact, the Court makes the following findings of fact and conclusions of law.

1. The ends of justice served by granting this continuance outweigh the interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).

3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself

//

1 within the time limits established by the Speedy Trial Act and currently set for this case.

2 18 U.S.C. § 3161(h)(8)(B(ii)).

3 4. Taking into account the exercise of due diligence, a continuance is necessary
4 to allow the defendant the reasonable time for effective preparation of his defense. 18
5 U.S.C. § 3161(h)(8)(B)(iv).

6 NOW, THEREFORE,

7 IT IS HEREBY ORDERED that the trial date in this matter is continued from
8 December 22, 2008 to April 20, 2009, at 9:00 am. The resulting period of delay from
9 December 22, 2008 to April 20, 2009, is hereby excluded for speedy trial purposes under
10 18 U.S.C. § 3161(h)(8)(A) and (B).

11 Pre-trial motions are due no later than February 26, 2009.

12 Pre-trial conference shall be on April 10, 2009 at 2:00pm.

13 Trial Briefs, Witness/Exhibit Lists, Motions in Limine and Proposed Jury
14 Instructions due by April 2, 2009.

15 DONE this 16th day of January, 2009.

16
17
18 S/ Pat LeFrois as directed by
19 The Honorable Franklin D. Burgess
20 United States District Court Judge
21
22
23
24
25
26